IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE CRIMINAL JURISDICTION

CRIMINAL APPLICATION NO.1435 OF 2005

The State of Maharashtra ..Applicant
Vs.
Uttam Waman Zende & anr. ..Respondents

Office Notes,Office Memoranda of Coram, appearances, Court's order or directions and Registrar's orders.	Court's or Judge's orders.

Smt.V.R.Bhonsale, A.P.P., for the State.
Mr.Subodh Desai for Mr.Prakash Naik for Respondent No.1.

CORAM : V.G. PALSHIKAR AND
SMT.NISHITA MHATRE, JJ.
DATED : 20TH APRIL 2005

. By this application, the State seeks to impugn the order of acquittal passed on 8th January 2004 by the 8th Additional Sessions Judge, Pune in Sessions Case No.39 of 2003. The learned Judge on appreciation of the evidence in general and evidence of Dr.Bhagwan Narkhede PW5 in particular, has observed that the possibility of death having been caused by fall from the motor-cycle cannot be over-ruled. Since such view is permissible and possible on the evidence on record, the judgment impugned cannot be called to be perverse or illegal. Hence, application for leave rejected.